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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

Plaintiff,

v.

1st HAND MORTGAGE, INC.,
Defendant.

C07-1186 MJP

CIVIL ACTION NO.

COMPLAINT

JURY TRIAL DEMAND



07-CV-01186-CMP

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of sex and to provide appropriate relief to Deborah Stedman ("Ms. Stedman"), who was adversely affected by such practices. The Equal Employment Opportunity Commission alleges that defendant discriminated against Ms. Stedman when it subjected her to harassment because of her sex, resulting in her constructive discharge. Plaintiff seeks

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EQUAL EMPLOYMENT
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Gov + Agency / Genm. ISSU.

1 monetary relief, including pecuniary and nonpecuniary compensatory and punitive
2 damages and injunctive relief, on behalf of Ms. Stedman.

3 JURISDICTION AND VENUE

4 1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§451, 1331,
5 1337, 1343 and 1345. This action is authorized and instituted pursuant to sections
6 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C.
7 sections 2000e-5(f)(1) and (3) ("Title VII"), and Section 102 of the Civil Rights Act of
8 1991, 42 U.S.C. §1981a.

9
10 2. The employment practices alleged to be unlawful were committed within
11 the jurisdiction of the United States District Court for the Western District of Washington
12 at Seattle.

13 PARTIES

14 3. Plaintiff, the Equal Employment Opportunity Commission (the
15 "Commission"), is the agency of the United States of America charged with the
16 administration, interpretation and enforcement of Title VII, and is expressly authorized to
17 bring this action by Section 706(f)(1) of Title VII, 42 U.S.C. §2000e-5(f)(1).
18

19 4. At all relevant times, defendant 1st Hand Mortgage, Inc. ("1st Hand
20 Mortgage") has been a corporation continuously doing business in the State of
21 Washington and has continuously had at least 15 employees.

22 5. At all relevant times, defendant 1st Hand Mortgage has continuously been
23 an employer engaged in an industry affecting commerce within the meaning of Sections
24 701(b), (g) and (h) of Title VII, 42 U.S.C. §§2000e-(b), (g) and (h).
25

STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Ms. Stedman filed a charge with the Commission alleging violations of Title VII by defendant 1st Hand Mortgage. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. During Ms. Stedman's employment with defendant, from at least March 31, 2005, 1st Hand Mortgage engaged in unlawful employment practices at its office in Federal Way, Washington in violation of §§ 703(a) of Title VII, 42 U.S.C. §§ 2000e-2(a). The unlawful employment practices include sexually harassing Ms. Stedman resulting in her constructive discharge.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Ms. Stedman of equal employment opportunities and otherwise adversely affected her status as an employee of 1st Hand Mortgage because of her sex.

9. The unlawful employment practices complained of in paragraph 7 above were intentional.

10. The unlawful employment practices complained of in paragraph 7 above were done with malice or with reckless indifference to Ms. Stedman's federally protected rights.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining defendant, its officers, successors, agents, assigns, and all persons in active concert or participation with it, from engaging in any employment practices which discriminate on the basis of sex.

1 B. Order defendant to institute and carry out policies, practices, and
2 programs which provide equal employment opportunities for all employees, and which
3 eradicate the effects of its past and present unlawful employment practices.

4 C. Order defendant to make whole Ms. Stedman by providing appropriate
5 relief in amounts to be determined at trial, and other affirmative relief necessary to
6 eradicate the effects of its unlawful employment practices.

7 D. Order defendant to make whole Ms. Stedman by providing compensation
8 for past and future pecuniary losses resulting from the unlawful employment practices
9 described in paragraph 7 above, including past and future out-of-pocket expenses, in
10 amounts to be determined at trial.

11 E. Order defendant to make whole Ms. Stedman by providing compensation
12 for past and future nonpecuniary losses resulting from the unlawful practices
13 complained of in paragraph 7 above, including without limitation emotional pain,
14 suffering, and loss of enjoyment of life, in amounts to be determined at trial.

15 F. Order defendant to pay Ms. Stedman punitive damages for its malicious
16 and reckless conduct described in paragraph 7 above, in amounts to be determined at
17 trial.

18 G. Grant such further relief as the Court deems necessary and proper in the
19 public interest.

20 H. Award the Commission its costs of this action.

21 JURY TRIAL DEMAND

1 The Commission requests a jury trial on all questions of fact raised by its
2 complaint.

3 DATED this 1st day of August, 2007.

4
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